

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | ML | 26/07/2018 |
| Planning Development Manager authorisation: | AN PW | 30/7/18 |
| Admin checks / despatch completed | | 31/7/18 |

ER

Application: 18/00883/FUL **Town / Parish:** Wix Parish Council

Applicant: Mr Steve Harmer - P and S Developments Ltd

Address: Land adjacent Clay Cottage Harwich Road Wix

Development: Variation of condition 10 of application 17/00958/FUL to allow for an additional bedroom in the detached dwellings and revisions to the window and door positions.

1. Town / Parish Council

Wix Parish Council Wix Parish Council would like to raise concerns regarding the off-road parking provision for this site, and whether it is appropriate for a 4-bedroom property.

2. Consultation Responses

Environmental Protection Environmental Protection has no adverse comments to make on this application.

ECC Highways Dept On the assumption that the additional bedroom makes no increase to the total area of the dwelling and does not impinge upon the off street parking facilities, the Highway Authority does not object to the proposals as submitted.

Tree & Landscape Officer The proposed amendment to the detached dwelling will not adversely impact on existing vegetation or proposed new landscaping.

3. Planning History

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|-----------------|---|----------|------------|
| 16/01302/OUT | 3 x 3 bedroom detached houses. | Approved | 06.10.2016 |
| 17/30043/PREAPP | Proposed 2 no. 3 bed detached dwellings and 2 no. 2 bed semi detached dwellings. | | 15.03.2017 |
| 17/00958/FUL | Erection of 2 No. 3 bed detached dwellings and 2 No. 2 bed semi-detached dwellings. | Approved | 04.08.2017 |
| 17/02179/DISCON | Discharge of condition 2 (Materials) on Application 17/00958/FUL. | Approved | 02.01.2018 |

18/00883/FUL

Variation of condition 10 of application 17/00958/FUL to allow for an additional bedroom in the detached dwellings and revisions to the window and door positions.

Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

EN23 Development Within the Proximity of a Listed Building

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL9 Listed Buildings

CP1 Sustainable Transport and Accessibility

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located on the southern side of Harwich Road within the settlement of Wix. The site comprises of rough grassland with several conifer trees to the rear. To the west of the site is a pair of semi-detached dwellings with a garage beyond. Opposite the site are several detached properties of 80's construction differing in height and size. To the east the land is open in character and beyond is a dwelling known as Bramley House.

On the opposite side of Harwich Road is a pedestrian footpath that leads into the centre of Wix 500/600m to the west. The site benefits from planning permission for 4 no. properties and construction work has commenced on site.

Proposal

This application proposes the variation of Condition 10 of planning permission 17/00958/FUL to incorporate changes to facilitate an additional bedroom in both of the detached dwellings increasing them from 3 bed to 4 bed properties. The application also proposes a reconfiguration of the windows/door positions on the front and rear elevation of the relevant dwellings.

The size and layout of the dwellings remains as previously approved.

As a result the overall development would comprise of 2 x 4 bedroom houses and 2 x 2 bedroom semi-detached houses.

Appraisal

Impact of Changes

The alterations proposed to the front elevation of the properties would result in more a symmetrical appearance through the centralisation of the front door. Overall this represents an enhancement of the approved scheme. The changes to the positions of windows/doors to the rear would not materially alter the appearance of the development and would not cause any harm to existing/future resident's amenity.

The additional bedroom does not affect the size requirements for amenity space, which remains comfortably in excess of the required 100 sqm, or the number of parking spaces which remains at 2 no. per dwelling.

Other Considerations

Essex County Council Highways have no objections providing the area of the dwelling is not increased and the parking areas reduced (this is not the case).

The Council's Environmental Protection Dept and the Council's Tree Officer have no objections.

Wix Parish Council raises concerns in respect of parking for the properties. However, two spaces per property is in accordance with the current parking standards.

No further letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 1 The materials to be used throughout the development shall be those approved under planning reference - 17/02179/DISCON via the Council's approval letter dated 2nd January 2018.

Reason - The development is publicly visible and therefore sympathetic materials are a visually essential requirement.

- 2 The approved scheme of landscaping shown on drawing no. 17.2005/LS-01 REV D (received 31/07/2017), shall be implemented no later than the first planting season following commencement of the development (or within such extended period or phased arrangement as the Local Planning Authority may allow) and shall thereafter be retained

and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason - To ensure the effective implementation of the approved landscaping scheme, in the interests of visual amenity.

- 3 The boundary treatment as shown on approved drawing no. 17.2005/BT-01 REV D (received 31/07/2017) shall be erected prior to first occupation of the approved dwellings and retained thereafter as approved.

Reason - In the interests of residential amenity and visual amenity.

- 4 Prior to occupation of the development the vehicular parking and turning facilities, as shown on the submitted plan no. 17.2005/SL-03 REV E (received 31/07/2017) shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

- 5 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

- 6 Prior to occupation of the development, the accesses at their centre lines shall be provided with a clear to ground visibility splays with dimensions of 2.4 metres by site maximum in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the accesses are first used by vehicular traffic and retained free of any obstruction at all times.

Reason - To provide adequate inter-visibility between vehicles using the accesses and those in the existing public highway in the interest of highway safety.

- 7 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

- 8 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) England Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no provision of fences, walls or other enclosures, shall be erected on the southern and eastern boundaries of the site except in accordance with drawings approved as part of this application or through the submission of drawings showing the design and siting of such enclosures which shall previously have been submitted to and approved, in writing, by the Local Planning Authority by way of a planning application.

Reason - In the interests of visual amenity and to preserve the character of the surrounding area.

- 9 The development hereby permitted shall be carried out in accordance with the following approved plans: 17.2005/SL-02 REV D (received 31/07/2017), 17.2005/BT-01 REV D (received 31/07/2017), 17.2005/HTA-01 REV D, 17.2005/102-1 REV B, 17.2005/HTA-02 REV D, 17.2005/102-02 REV B, 17.2005/GAR-01 REV A, 17.2005/SL-03 REV E (received

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Environmental Health Informative

The following information is intended as guidance for applicants/developers and construction firms. In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Pollution and Environmental Control recommends that the following guidelines are followed. Adherence to this advisory note will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control.

Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible.
- 2) No vehicle connected with the works to arrive on site before 06:30 or leave after 19:30 (except in the case of emergency). Working hours to be restricted between 07:00 and 19:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:1984.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

Emission Control

- 1) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
- 2) No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- 3) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

Cost of Works - The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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| Are there any letters to be sent to applicant / agent with the decision? If so please specify: | YES | <input checked="" type="radio"/> NO |
| Are there any third parties to be informed of the decision? If so, please specify: | YES | <input checked="" type="radio"/> NO |